

IN RE: PETITION FOR ADMIN. VARIANCE
N/E corner Hoerner Avenue, 23' N
centerline of Ellen Avenue
9th Election District
6th Councilmanic District
(8625 Hoerner Avenue)

Jane G. Croup
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-237-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Jane G. Croup, the legal owner of the subject property. The variance request is for property located at 8625 Hoerner Avenue in the Parkville area of Baltimore County. The Petitioner herein seeks a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (shed) on a corner lot with a side street setback of 11.5 ft. in lieu of the maximum required 25 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

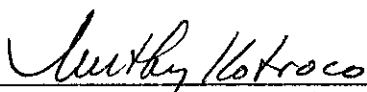
11/4/02
J. R. [signature]

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of January, 2002, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (shed) on a corner lot with a side street setback of 11.5 ft. in lieu of the minimum required 25 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

CLING

1/14/02
J.P. Johnson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

January 14, 2001

Ms. Jane G. Croup
8625 Hoerner Avenue
Baltimore, Maryland 21234

Re: Petition for Administrative Variance
Case No. 02-237-A
Property: 8625 Hoerner Avenue

Dear Ms. Croup:

Enclosed please find the decision rendered in the above-captioned case. Your Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. John Croup
8625 Hoerner Avenue
Baltimore, MD 21234

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

8625 HOERNER AVE
which is presently zoned D.R.S.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 To allow an accessory structure (shed) on a corner lot with a side street setback of 11 1/2 ft in lieu of the minimum required 25 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 14th day of June, 2001, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 02-237-A

Reviewed By [Signature]

Date 12-06-01

Estimated Posting Date 12-06-01

REV 9/15/98

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

8675 HOERNER AVE.
Address
DALTON MD. 21234
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Existing shed has been here 20 years and nothing and no
to shed. No grass for storage, gray wood shed for wood
working shop for hobby and storage. Existing new shed
where existing compliance, cedar shake would make rear yard
look strange and we would have to remove garden on
replacing nothing existing and that is 10' x 10' without that
watched other existing gray wood shed that would be
12' x 12' and placed in same location. I have painted gray
metal shed several times in order to maintain it. It has
rotted away.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature Jane G. Croup
Name - Type or Print Jane G. Croup

Signature _____
Name - Type or Print _____

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6TH day of DECEMBER, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JANE G. CROUP
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

DECEMBER 6, 2001
Date

Stella Ruth Lowrey
Notary Public STELLA RUTH LOWREY
My Commission Expires DECEMBER 4, 2005

Zoning Description for 8625 Hoerner Avenue

Beginning at the point on the East side of Hoerner Avenue which is 36 feet wide at the distance of 23 feet North of the centerline of the nearest improved intersecting street Ellen Avenue which is 30 feet wide. Being Lot # 10, Block # ----, Section # C in the subdivision of Oakleigh As recorded in Baltimore County Plat Book # 23, Folio # 108, containing 7500 square feet. Also known as 8625 Hoerner Avenue and located in the 9th Election District, 6th Councilmanic District.

237

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Code No. 08183
2-237-A

DATE 12-06-01 ACCOUNT R-001-006-6.50

AMOUNT \$ 50.00

RECEIVED FROM: M/LINS. CORP

FOR: Residential Variance Filing Fee
8625 Hoerner Ave (21234)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

2/07/2001 12/06/2001 15:56:15

RECEIPT # 167336

RECEIPT # 5 528 ZONING VERIFICATION

Receipt Tot 50.00

50.00 OK

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-237-A

Petitioner/Developer: JOHN CROUP

Date of Hearing/Closing: 12/31/01

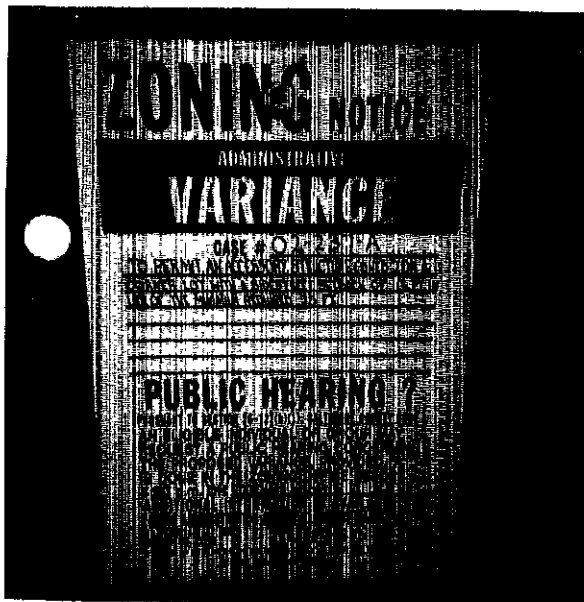
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8625 HOERNER AVE

The sign(s) were posted on 12/16/01
(Month, Day, Year)



Sincerely,

[Signature] 12/16/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK
(Printed Name)

1508 Leslie Rd
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-237-A
Petitioner: John Crouf
Address or Location: 8675 HOERNER AVE. 21234

PLEASE FORWARD ADVERTISING BILL TO:

Name: John Crouf
Address: 8675 HOERNER AVE.
BALTO. MD. 21234
Telephone Number: 410-661-2887

Revised 2/20/98 - SCJ

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 237 -A

Address 8625 Hoerner Ave.

Contact Person: John Sullivan
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 12-6-01

Posting Date: 12-16-01

Closing Date: 12-31-01

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 02- 237 -A

Address 8625 Hoerner Ave.

Petitioner's Name 8625 Hoerner Ave.

Telephone (410) 661-2952

Posting Date: 12-16-01

Closing Date: 12-31-01

Wording for Sign: To Permit an accessory structure (shed) on a
corner lot with a ^{side street} setback of 11 1/2 ft. in lieu of the mini-
-mum required 25 ft.

Granted 1/14/02

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** January 24, 2002

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 7, 2002
Item Nos. 221, 222, 224, 225, 226, 227,
228, 229, 231, 232, 233, 234, 237, 239,
and 240

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 4, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 31, 2001

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

221, 222, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234,
235, 236, ~~237~~, 238, 239, and 240

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: January 4, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-177, 02 234 & ~~02-237~~

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Long

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 1.2.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. [REDACTED]

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 02-237-A

Date Completed/Initials

12-30-01

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 8635 HOERNER AVE.

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Oakleigh

(Lot = 50' x 120')

plat book # 23, folio # 108, lot # 10, section # C

OWNER: Tune G. Cropp (Dr. 5/24)

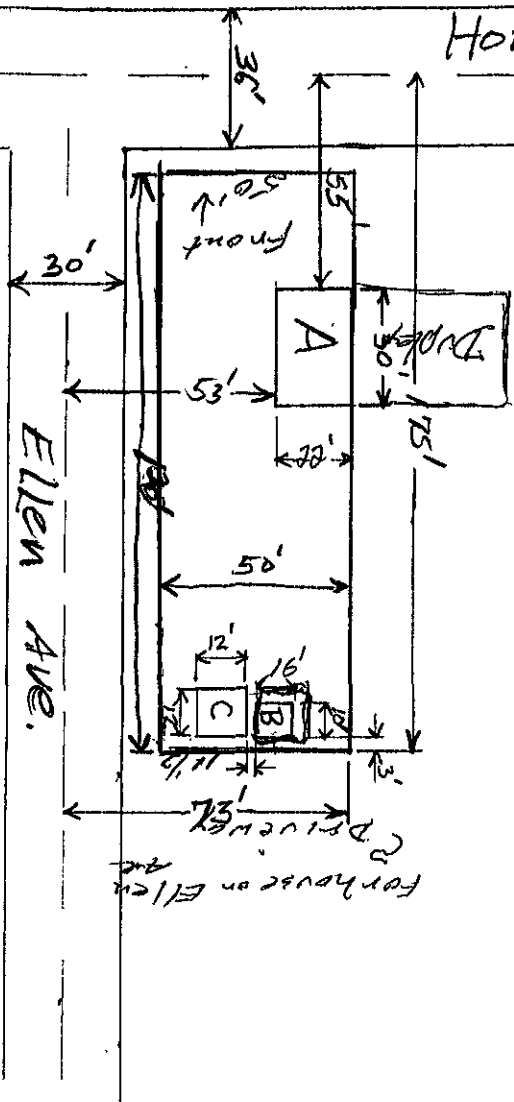
Legend

A = Existing Dwelling

B = Existing shed - gray wood 10' x 16'

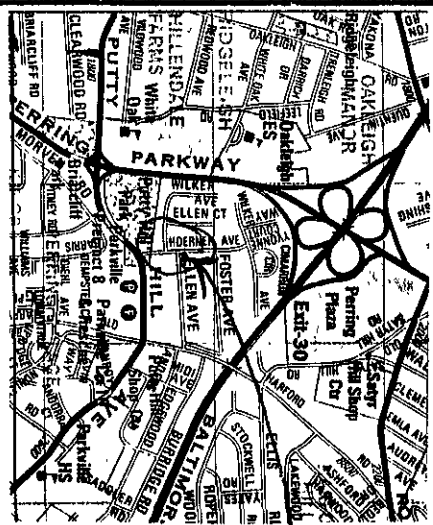
* C = Existing shed - metal 10' x 10' Existing also location for

Proposed new shed 18' x 18' (1 1/2" = prop line)



North
date: 12/6/61
prepared by: JEC

Scale of Drawing: 1" = 50'



Vicinity Map
Scale: 1" = 1000'

LOCATION INFORMATION

Election District: 9

Councilmanic District: 6

1" = 200 scale map. NE 9-D

Zoning: D.R. 5.5

Lot size: .17 acreage 7500 square feet

Chesapeake Bay Critical Area: ☐ ☒ ☐ ☒
Prior Zoning Hearings: NONE

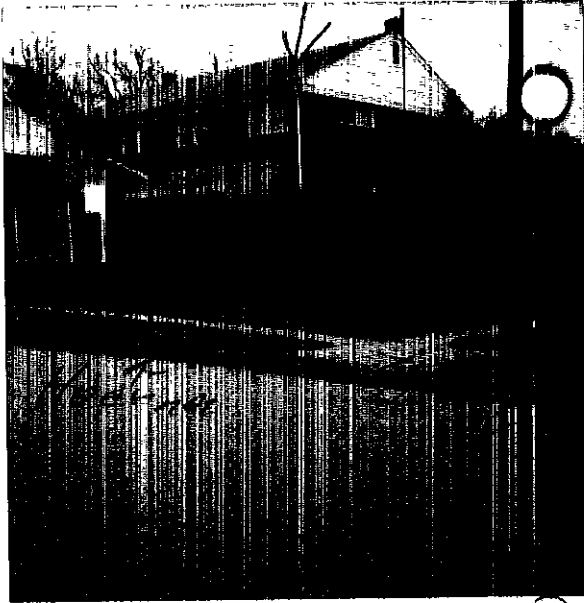
Zoning Office USE ONLY!

reviewed by: ITEM #: CASE #:

237

Rel. Ex. #1

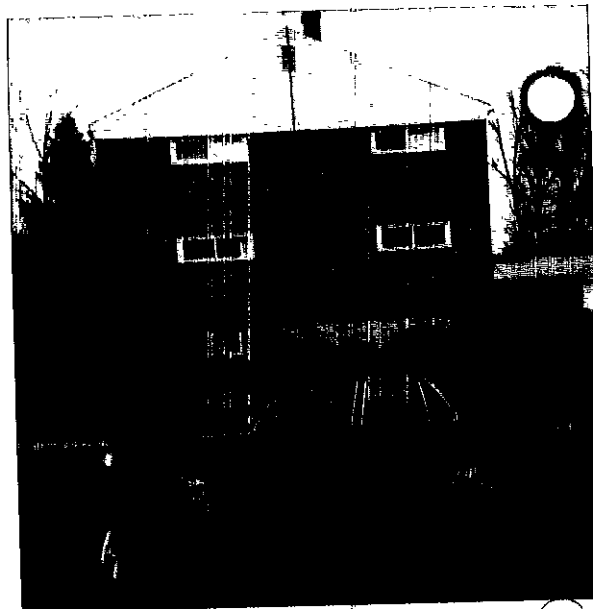
Sub. pref



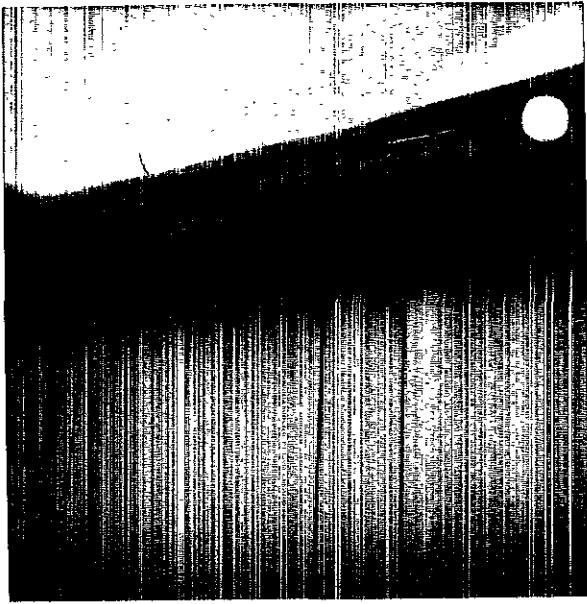
237



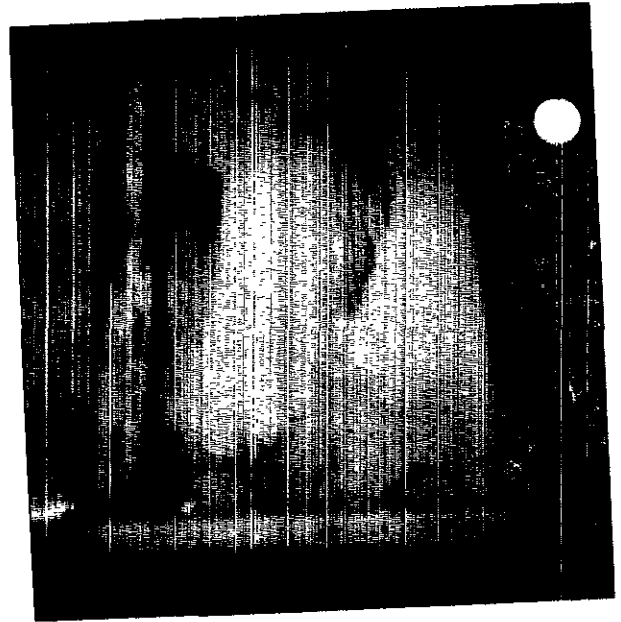
8625 Hoerner Ave
237



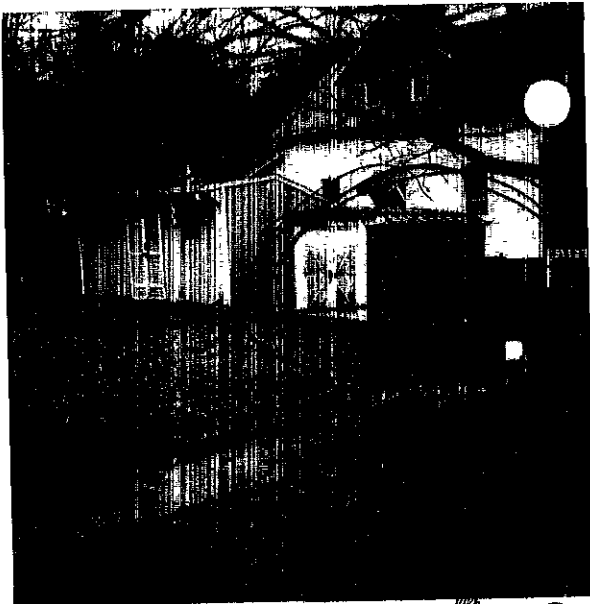
from Ellen A.C.
237



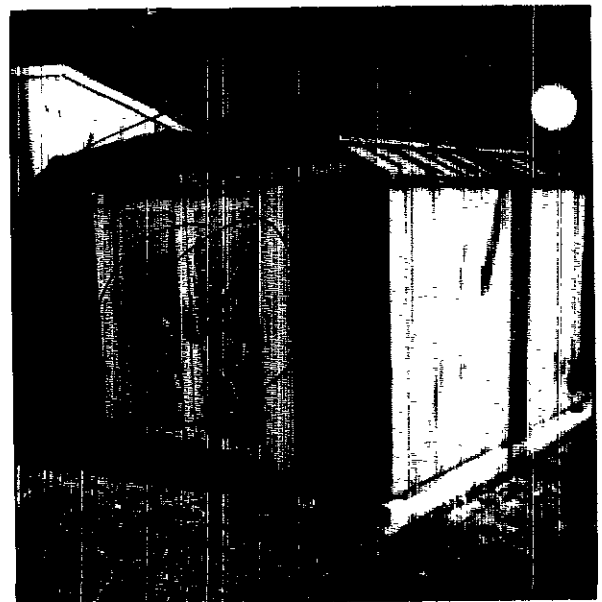
TO Be Replaced
237



Roof - Shed to B 2
Replaced 237



Shed to Be
Replaced 237



Shed to Be Replaced
237

$$1'' = 200'$$

SATYR HILL RD.

BL.

51
CIN
A
K
1

CIRCLE

AVE.

WILKER

FOSTER

AVE.

AVE.

CT.

RD.

HOERNER

SITE

D.R.16

AVENUE

D.R. 10.5

ELLEN

77-103

AVE

ELLEN

AVF

D.R. 5.5.

HILL

PUTTY

HARRIS

AVE.

D.R. 16

BR

B.L.-AS

HARFORD

D.R. 10.5

ROAD

DISNEY

#237

ROD

OLD

NUM

zoning map

Sturges
/ EPA
Dept environment &
Resource mgmt.